

Government Services and Administration

Lay on Desks

1/24/05

Revised 2/15/05

Revised 3/11/05

Revised 3/22/05

Revised 4/4/05

RESOLUTION NO. 205031

RE: LOCAL LAW NO. OF 2005, A LOCAL LAW REQUIRING THE LICENSING OF MASTER ELECTRICIANS TO DO BUSINESS AS ELECTRICAL CONTRACTORS WITHIN DUTCHESS COUNTY

Legislators CLEARWATER, McCABE, SEARS, HORTON, FETTES, JETER-JACKSON, and TYNER offer the following and move its adoption:

WHEREAS, a system of licensing electricians has been successfully practiced in many other counties, including those that neighbor Dutchess County, as a means of assuring both public safety and consumer protection, and

WHEREAS, residents, businesses, employees, and visitors to Dutchess County should be assured **a higher** level of public safety and consumer protection, and

WHEREAS, the cost of implementing and operating a system of licensing electricians would be borne entirely by fees charged to electricians for such licenses, and

WHEREAS, broad support and endorsements have been received from municipalities and public organizations within Dutchess County for the implementation of a countywide system of licensing electricians, now, therefore, be it

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. of 2005, which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the <sup>th</sup> day of , 2005, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this <sup>th</sup> day of , 2005.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

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LOCAL LAW NO. \_\_\_\_\_ OF 2005

RE: A LOCAL LAW REQUIRING THE LICENSING OF MASTER ELECTRICIANS  
TO DO BUSINESS AS ELECTRICAL CONTRACTORS WITHIN DUTCHESS  
COUNTY

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

SECTION 1. LEGISLATIVE INTENT  
SECTION 2. DEFINITIONS  
SECTION 3. LICENSE REQUIRED; EXCEPTIONS  
SECTION 4. ELECTRICAL LICENSING BOARD; MEMBERSHIP;  
SECRETARY; ENFORCEMENT OFFICER; COMPENSATION  
SECTION 5. POWERS AND DUTIES OF THE BOARD  
SECTION 6. APPLICATION FOR LICENSES; APPLICATION FEE  
SECTION 7. EXAMINATIONS; REQUIREMENTS  
SECTION 8. LICENSES; TERMS; FEES  
SECTION 9. GRANDFATHER CLAUSE  
SECTION 10. SUSPENSION; REVOCATION; FINES  
SECTION 11. VIOLATIONS AND PENALTIES  
SECTION 12. LIABILITY FOR DAMAGE  
SECTION 13. SEVERABILITY  
SECTION 14. EFFECTIVE DATE

SECTION 1. LEGISLATIVE INTENT

The Dutchess County Legislature, in order to properly protect the public health, safety, and welfare of the residents of the County of Dutchess, and in accordance with the authority granted by the New York State Legislature in New York County Law 236-a. hereby regulates the licensing of Master Electricians who qualify, according to this local law, to be licensed by Dutchess County as Master Electricians and therefore **to be** authorized to do business as electrical contractors in Dutchess County. The sole intent of this article is to establish an Electrical Licensing Board in the County of Dutchess and to empower such Board to assume all licensing duties within the County of Dutchess with respect to Master Electricians in accordance with provisions contained herein. This will ensure that the only individuals who are performing the work of a Master Electrician in Dutchess County are those individuals who are either licensed by the Electrical Licensing Board or who are under the supervision of an individual who is licensed by the Electrical Licensing Board. Local municipalities in Dutchess County shall no longer be responsible for the licensing of Master Electricians.

Nothing contained in this local law is designed to **interfere** nor shall be construed to interfere with any existing state or local law or the industry practice relating to electrical work. Nothing contained herein is designed to **interfere** nor shall be construed to interfere with authority of the local municipalities within Dutchess County to issue Certificates of Occupancy or any permits necessary for the performance of electrical work to an electrician who has a license issued by the Electrical Licensing Board pursuant to this local law.

## SECTION 2. DEFINITIONS.

1. A "Master Electrician" is any person who - as a function of business - performs and/or supervises the installing, erecting, extending, altering, or repairing of electrical wiring, apparatus, fixtures, devices, appliances, and equipment utilized or designed for the utilization of electricity **above 90 volts** for light, heat, cooling, **or** power purposes as defined by the **latest published edition of the New York State Building Code, National Electrical Code reference standard.**
2. "Board" shall mean the Dutchess County Electrical Licensing Board created by this local law.
3. "Journeyman Electrician" is an electrician who (a) has successfully completed a formal electrical apprenticeship program which has been registered with and approved by the New York State Department of Labor; or (b) has successfully completed a formal electrical apprenticeship program which has been registered **with** and approved by another state of the United States of America; or (c) has successfully completed a formal electrical apprenticeship program which has been registered with and approved by the Bureau of Apprenticeship Training of the United States Department of Labor.

## SECTION 3. LICENSE REQUIRED; EXCEPTIONS.

1. No person shall perform, engage in, or conduct business as a Master Electrician within the County of Dutchess unless licensed pursuant to this local law or unless under contract to or employed by and supervised by and working under the direction of a Master Electrician licensed pursuant to this local law. Only licensed Master Electricians may conduct business as electrical contractors. Any electrician in business as an electrical contractor in Dutchess County prior to adoption of this local law, who meets the requirements stated in this law for licensing as a Master Electrician, will be eligible for a Dutchess County Master Electrician's License according to SECTION 9, GRANDFATHER CLAUSE, in order to continue in business without interruption.
2. No person shall hold himself or herself out to the public as a Master Electrician or offer to contract to perform the work of a Master Electrician within the County of Dutchess unless licensed pursuant to this local law or unless under contract to or employed by and supervised by and working under the direction of a Master Electrician licensed pursuant to this local law.
3. No person, business, or company shall employ an unlicensed electrician unless the unlicensed electrician is working under the supervision and direction of a Master Electrician licensed pursuant to this local law.
4. The provisions of this local law shall not apply to persons:
  - a. Who are engaged solely in the selling or in the attachment of ordinary electrical appliances including heating, ventilating, and air conditioning equipment to existing circuits (where no new wiring or wiring devices are required).

- b. Who are engaged solely in the general maintenance of buildings and grounds, including attachment or replacement of ordinary **devices**, electrical appliances, and heating, air conditioning, and ventilating equipment to existing circuits.
- c. Who work exclusively in the maintenance or repair of elevators.
- d. Who work exclusively in the manufacture or assembly of electrical equipment.
- e. Who work exclusively with public service companies or municipal plants authorized to generate or sell electricity, in connection with the erection, construction, maintenance, or repair of lines and facilities for the generation, transmission, and distribution of electricity from the source of supply to the service connection on the premises where used.
- f. Who work exclusively with public service companies or municipal plants authorized to generate or sell electricity, in connection with installing, maintaining, and repairing on the consumer's premises of service connections, meters, and other apparatus and appliances remaining on the property of such companies or plants after installation.
- g. Who are homeowners, doing electrical work in **single-family** residences they own and occupy, in accordance with permit and inspection requirements of local city, town, and village building departments.

SECTION 4. ELECTRICAL LICENSING BOARD; MEMBERSHIP,  
SECRETARY, ENFORCEMENT OFFICER; COMPENSATION

1. There shall be a Dutchess County Electrical Licensing Board. This Board shall consist of **nine (9)** members: one (1) electrical contractor **who employs non-union electricians, is a resident of Dutchess County, and** is a member of Dutchess County Electrical Contractors Association, one (1) electrical contractor **who is a resident of Dutchess County, and** employs union electricians, one (1) representative of Central Hudson Gas & Electric Corporation, **one (1) representative** of New York State Electric & Gas Corporation, one (1) journeyman electrician **who is a resident of Dutchess County** representing journeymen electricians, one (1) electrical inspector member of New York State Building Officials Association, one (1) professional electrical or architectural engineer **who is a resident of Dutchess County and is** a licensed by the State of New York, **one (1) alarm installer/contractor who is a resident of Dutchess County, is licensed by the State of New York, and is a member of the Mid-Hudson Alarm Association,** and one (1) resident of Dutchess County excluding anyone qualified for any of the other board positions, acting for the residents of Dutchess County.
2. Pursuant to the Dutchess County Charter, the County Executive shall appoint the members of the Board subject to confirmation by the County Legislature. Of the members first appointed, one shall be appointed for a term of one (1) year; two for a term of two (2) years; **three** for a term of three (3) years; and **three** for a term of five (5) years. Members may continue to serve after the expiration of their respective terms of office until their successors have been appointed and **confirmed**. The successors of all members of the Board thereafter shall be appointed for terms of five (5) years. However, members

may continue to serve after the expiration of their respective terms of office until their successors have been appointed and **confirmed**.

3. In the event that a vacancy occurs on the Board, the County Executive shall appoint an individual subject to confirmation by the County Legislature to serve the unexpired portion of the term of the member whose office has become vacant. **After 30 days from the date this law takes effect if the appointments to the Board have not been made, the County Legislature will become responsible for appointing the Board members. In the event there has been a vacancy for 30 days without an appointment to fill that vacancy, the County Legislature will become responsible appointing a person to fill the vacancy.**
4. A member of the Board may be removed by a majority vote of the Board for misfeasance or malfeasance in office, incompetence, incapacity, neglect of duty, or other good and sufficient cause, after providing the member with notice of the charges and an opportunity to be heard in his or her defense in person and/or by counsel.
5. The Electrical Licensing Board shall annually elect its chairman and vice-chairman from its membership. The members of the Board will not be compensated for their services on the Board; however, the members of the Board may be reimbursed for any reasonable and necessary expenses incurred in the performance of their duties, in accordance with Dutchess County policy.
6. A majority of the Board shall be a quorum for the transaction of business.
7. The Electrical Licensing Board shall have an administrative secretary and an enforcement officer to assist the Board with its duties and functions as contained in the local law and who shall be paid for their services as provided by law. The secretary will serve as an alternate member of the Board to make up a quorum when a majority of the Board is not in attendance and urgent business must be transacted.
8. Representatives from any entity authorized to inspect electrical work within Dutchess County shall advise the Board, as deemed appropriate by the Board.

#### SECTION 5. POWERS AND DUTIES OF THE BOARD.

The Board shall have the following powers and duties:

1. To hold at least one (1) meeting each month. Other meetings may be held at the request of the Chairman of the Board or a majority of the Board, as may be necessary for the efficient discharge of the business of the Board. **All meetings will be open to the public.**
2. To examine into the qualification and fitness of applicants for licenses under this local law.
3. To approve the issuance of licenses to applicants who pose the requisite qualifications in accordance with this local law.

4. To issue licenses as approved by the Board and signed by the Board Chairman.
5. To number all licenses in the order in which they are issued.
6. To accept formal complaints, in writing, from towns, cities, villages, and private individuals, according to a uniform system of dating and reporting such complaints (the Board, if it chooses, can develop a complaint form or questionnaire).
7. To suspend or revoke licenses for cause as provided in this local law.
8. To **call** witnesses and **examine** records relating to compliance with this local law.
9. To impose and collect fines for violations of this local law.
10. To keep records of all its meetings and proceedings and of all licenses issued, suspended, or revoked by it, and to make such records available for public inspection.
11. To establish rules and regulations as may be necessary to effect and implement the provisions of this local law.
12. To prepare a manual of all its rules and regulations for the use and benefit of local Building Departments and to furnish copies thereof to building departments in all Dutchess County towns, cities, and villages. Copies will be provided to persons desiring the same upon payment of a fee of twenty-five cents per page.
13. To file a copy of all the rules and regulations of the Board and any changes thereto with the County Clerk.
14. To establish an official means of communication concerning items (10), (11), and (12) above for providing information to and exchanging information with the **Building Departments** of all Dutchess County towns, cities, and villages.
15. To judge and decide on qualifications of established Dutchess County electrical contractors to be granted Master Electrician's licenses under SECTION 9, GRANDFATHER CLAUSE, of this local law.
16. To employ an enforcement officer who will act under the direction of the Board, with the Board's authority, to implement provisions of SECTION 11: VIOLATIONS AND PENALTIES, of this local law.
17. **To provide access to all financial records to the Dutchess County Comptroller for an annual audit.**
18. **To collect license fees and manage disposition of funds according to these guidelines.**
  - A. **All expenses of the Board, along with salaries to employees and benefits as may be decided by the Board, with the advice and approval of the County Legislature provided through the Legislature's Government Services and**

**Administration Committee, will be paid from accumulated fees.**

- B. Funds in excess of expenses, salaries, and benefits will be distributed as follows: Funds will be accumulated for three years. After three years, 50 percent of the excess funds will be paid to Dutchess County to cover the costs of a consumer information website to be administered by Dutchess County's Department of Consumer Affairs. The remaining 50 percent of excess funds accumulated during the first year of the three years will be contributed to education and training of apprentice electricians who are seeking careers in the electrical trade. Accumulated funds will be distributed according to this plan every year, with accumulated funds from two years always in reserve.**

- 19. To provide reports on meetings and all other business to the County Legislature's Government Services and Administration Committee, which will have oversight responsibility for the Board.**

#### SECTION 6. APPLICATION FOR LICENSES; APPLICATION FEE.

1. Within one year of adoption of this local law, every person desiring a license as a Master Electrician under this local law must apply to the Board in such form and detail as the Board may prescribe. Such application must contain, among other things, the applicant's name and residence, and the name and address of the applicant's business or the applicant's place of employment. The applicant must also provide proof of the applicant's seven (7) years of experience in accordance with this local law and with the Board's rules and regulations.
2. The fee for each application under this local law shall be fifty dollars (\$50) or such other amount as may be determined from time to time by the County Board of Legislators. This application fee is in addition to any other fee required to be paid by this local law.

#### SECTION 7. EXAMINATIONS; REQUIREMENTS.

1. Applicants for a Master Electrician's license are required to take an examination.
2. In order to qualify to take an examination, all applicants must possess a minimum of seven (7) years of experience in the installation, alteration, and repair of wiring and appliances for electric light, heat, cooling, and power and signaling purposes in or on buildings. All applicants are required to provide proof of his or her experience to the Board in accordance with the Board's rules and regulations. The Board must compute an applicant's years of experience as follows:
  - A. A journeyman electrician who has worked at least seven (7) years as a journeyman with his **or her** tools on the installation, alteration, and repair of wiring and appliances for light, heat, cooling, and power and signaling purposes in or on buildings, **or**

- B. A graduate engineer of a college or university who holds a degree of Electrical Engineering -- Master of Engineering or Bachelor of Science in Electrical Engineering -- and, in addition to a degree, has worked at least six (6) years with his **or her** tools on the installation, alteration, and repair of wiring and appliances for electric light, heat, cooling, and power and signaling purposes in or on buildings, **or**
- C. A graduate of a vocational, industrial, or trade school in electrical wiring, installation, and design or applied electricity, and has worked at least six (6) years with his **or her** tools on the installation, alteration, and repair of wiring and appliances for electric light, heat, cooling, and power and signaling purposes in or on buildings, **or**
- D. A person who attended courses in a college or university leading to a degree in electrical engineering, mechanical engineering, Bachelor of Science in electrical engineering or mechanical engineering, who passed all subjects in the required courses shall be credited with practical experience equal to fifty percent (50%) of the number of curriculum years he has satisfactorily completed, which, in no event, however shall exceed one (1) year's credit of practical experience; and an additional six (6) years of practical experience must have been obtained by working with his **or her** tools on the installation, alteration, and repair of wiring for electric light, heat, and cooling, and power and signaling systems in or on buildings, **or**
- E. **A New York State Licensed Professional Engineer, who has passed the principles and practices examination in Electrical Engineering in order to be awarded a professional license and who has worked at least three (3) years with his or her tools in the installation, alteration, and repair of wiring and appliances for electric light, heat, cooling, and power and signaling purposes in or on buildings, which all together represents a total of fifteen (15) years of education and direct experience in the safe use of electricity.**
3. All examinations shall be in writing. Examinations shall be held at such times and places as the Board may determine or otherwise arrange, at least four times each year. The Board **will** designate or contract with an outside organization to create and administer the examination. A complete record of every examination given shall be kept on file with the Board for three years after the date of examination.
4. The examination will test, among other things, an applicant's knowledge of electrical wiring, electricity and natural laws, properties and functions of electricity and of appliances, apparatus, materials, and devices for electric light, heat, cooling, power and signaling purposes used and required in such work, **the** requirements and provisions of the current **New York State Building Code**, National Electrical Code **reference standard**, **and** of the rules and regulations of the Lighting Company, the provisions of this local law, the rules and regulations of the Board, **and** the laws of New York State, the County of Dutchess, and any municipality within Dutchess County regarding the installation of electrical wiring, devices, appliances, and equipment.
5. An applicant who has failed his or her first examination shall not be eligible for re-examination until one (1) month from the date of such failure. An applicant who fails



twice or more shall not be eligible for further re-examination until at least six (6) months have elapsed from the date of such second or subsequent failure.

#### SECTION 8. LICENSES; TERMS; FEES.

1. Master Electrician's License.
  - A. The fee for a Master Electrician's License is **three hundred and fifty dollars (\$350)** or such other amount as may be determined from time to time by the County Legislature.
  - B. A Master Electrician's License will only be issued to an applicant who the Board has determined has passed the examination or who can be licensed according to SECTION 9, GRANDFATHER CLAUSE, and meets the requirements established in this local law.
  - C. A Master Electrician's License must contain the photograph of the Master Electrician and shall be in such form and color as the Board may prescribe.
  - D. A Master Electrician's License must indicate the name of the Master Electrician and the name and address of the Master Electrician's business or the name and address of the Master Electrician's employer.
  - E. In the event that a Master Electrician licensed by the Board wishes to work for a business or employer other than the business or employer indicated on his or her Master Electrician's License, the Board, on receipt of proper application, may issue the Master Electrician a new license specifying new business or employer upon the surrender of the old license. The Board may charge the Master Electrician an additional fee for the administrative cost of such an amendment to his or her license.
  - F. The Master Electrician's License must at all times be kept conspicuously displayed in the place of business or employment of the licensee.
  - G. A Master Electrician will only be entitled to possess one (1) valid Master Electrician's License pursuant to this local law for any given year.
  - H. A Master Electrician's License cannot be transferred or assigned to any other person.
  - I. A Master Electrician's License shall be valid until and including the final day of the one-year period for which it is issued. Licenses will be renewed annually according to the one-year anniversary date of the date the license is originally issued.
  - J. A Master Electrician's License may be renewed annually on or before the expiration of the license upon payment of a **three hundred and fifty dollar (\$350)** renewal fee, or such other renewal fee as may determined from time to time by the County Legislature. **In addition, the Master Electrician renewing his or her license will show proof of continuing education in the electrical trade as specified by the Board in regulations (Section 5, Item 11).**

- K. Any such license not renewed on or before the expiration date of the license will lapse at the expiration of its term.
- L. A Master Electrician's License may be shelved for a fee of \$100 per year in the case of a licensed Master Electrician not actively engaged in the work of a Master Electrician, **or in the case of a Master Electrician employed by another licensed Master Electrician.** The shelved license can be renewed at any time at the discretion of the Board.
- M. In the event that a Master Electrician's License issued pursuant to this local law has expired, the Licensee may renew his or her license only if:  
(a) he or she has been actively and continuously engaged in work as a Master Electrician under the supervision of a Licensed Master Electrician since the issuance of his or her last valid Master Electrician's License; or (b) he or she has been actively and continuously engaged in work as an inspector of electrical work since the issuance of his or her last valid Master Electrician's License; or (c) he or she has not been actively or continuously engaged in work as a Master Electrician during the past two years, but can provide proof acceptable to the Board, that he or she has recently participated in a continuing education course updating his or her knowledge of the work of a Master Electrician.
- N. No Master Electrician's license shall be renewed if the Licensee has not actively and continuously engaged in the work of a Master Electrician for more than two (2) years since the issuance of his or her last valid Master Electrician's license. Such individual must thereafter comply with all the requirements for a Master Electrician's License.
- O. No Master Electrician's License will be issued unless the applicant can show proof of responsibility (liability insurance, workers compensation, and disability insurance) for damage or injury that might be experienced as a result of the Master Electrician's work.
- P. The Board will provide Licensed Master Electricians with official Dutchess County Decals which must be displayed on business vehicles used by the Licensed Master Electrician or his or her employees in conducting the business of a licensed Master Electrician.
- Q. Military service exception. Licensees who are called to active duty will have their licenses frozen as of the date of their call to duty. Upon return from active duty, the licensee will provide the Board with documentation of the active duty period and the license period will be extended the same number of days as the active duty period.

#### SECTION 9. GRANDFATHER CLAUSE.

1. Any person possessing a certified copy of a Master Electrician's License issued by Beacon or Poughkeepsie which was valid and effective as of **the date of the adoption of this local law** and who completes an application to the Board as required by the Board no later than **two (2) years from the date of the adoption of this local law** shall be entitled to a Dutchess County license without examination.

Any person who can show proof that he or she has been in business as an electrical contractor continuously and competently doing the work of a Master Electrician in Dutchess County for at least eleven (11) consecutive years prior to **the date of the adoption of this local law** and this work is a principal source of livelihood for that person, and who completes an application to the Board as required by the Board no later than **two (2) years from the date of the adoption of this local law** shall be entitled to a **restricted** Master Electrician's License without examination, **which will not apply in the cities of Beacon and Poughkeepsie, where an examination has been a requirement.**

The fee for a grandfathered Master Electrician's License is **three hundred and fifty dollars (\$350).**

2. Any person who was issued a Master Electrician's License under this Grandfather Clause may renew said license annually on or before the expiration of the license upon payment of an annual renewal fee.
3. In the event that a person who was issued a Master Electrician's License under this Grandfather Clause allows his or her license to expire, that person may renew his or her license for an additional fee only if (a) he or she has been actively and continuously engaged in work as a Master Electrician under the supervision of a licensed Master Electrician since the issuance of his or her last valid Master Electrician's License; or (b) he or she has been actively and continuously engaged in work as an inspector of electrical work; or (c) he or she has not been actively or continuously engaged in work as a Master Electrician during the past two years, but can provide proof acceptable to the Board that he or she has recently participated in a continuing education course updating his or her knowledge of the work of a Master Electrician.
4. If a person fails to apply for a grandfathered license **within two (2) years of enactment of this local law**, said person would be required to comply with all the requirements contained in this local law in order to receive a Master Electrician's License.
5. No person may renew his or her license if he or she has not been actively or continuously engaged in work as a Master Electrician since the issuance of his or her last valid license. Such person must thereafter comply with the requirements contained in SECTION 7, EXAMINATIONS; REQUIREMENTS herein in order to receive a Master Electrician's License.
6. Temporary Master Electrician's License. In the event that a person has been in business continuously and competently doing the work of a Master Electrician in Dutchess County for less than eleven (11) consecutive years prior to **the date of the adoption of this local law**, but is otherwise qualified to receive a grandfathered Master Electrician's License, and this work is the principal source of livelihood for that person, the board will consider an application for a Temporary Master Electrician's License, which can be renewed as a Master Electrician's License after the applicant has completed 11 consecutive years successfully and competently doing the work of a Master Electrician in business as an electrical contractor.

#### SECTION 10. SUSPENSION, REVOCATION, FINES

1. Any license issued pursuant to this local law may be suspended or revoked by the Board after the Board provides written notice of the charges and the Licensee is given an opportunity to be heard in his or her defense.
2. The Board may suspend or revoke a license issued pursuant to this local law if the board determines that the Licensee willfully, or by reason of incompetence, has:
  - A. Violated any provision of this article; or
  - B. Violated any of the laws, rules, or regulations, or any building codes governing electrical work, or any order issued by building departments of any municipality in Dutchess County; or
  - C. Violated any requirement contained in the rules and regulations of the National Fire Protection Association, or the National Electrical code; or
  - D. Been convicted of a crime by a court of competent jurisdiction where there is a direct relationship between the crime and the specific license sought; or (2) the issuance of the license would invoke an unreasonable risk to the property or to the safety or welfare of specific individuals or the general public.
3. The Board may, in addition to or in lieu of suspending or revoking a license issued pursuant to this local law, impose a fine not exceeding fifty dollars (\$50) for the first offense and not more than one hundred dollars (\$100) for any subsequent offense, and may suspend the license until such fine is paid.
4. Nothing in this section shall prevent a local municipality from initiating any proceedings against a Master Electrician or any other individual who has violated any other law.

#### SECTION 11. VIOLATIONS AND PENALTIES.

1. Any person who, **in business**, directly or indirectly engages in or works as a Master Electrician, **as defined in Section 2**, in the County of Dutchess without (1) a Master Electrician's License, or (2) being supervised by a Master Electrician who is licensed by the Board, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than five hundred dollars (\$500) or not more than one thousand dollars (\$1,000) or by imprisonment for not less than one (1) month or more than six (6) months or by both, fine and imprisonment. Each day on which such violation continues shall constitute a separate offense.
2. Any person who continues to engage in or work as a Master Electrician or while his or her license is suspended or revoked shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than five hundred dollars (\$500) or not more than one thousand dollars (\$1,000) or by imprisonment for not less than one (1) month or more than six (6) months or by both, fine and imprisonment. Each day on which such violation continues shall constitute a separate offense.
3. Any person who with intent to defraud or deceive, knowingly makes a false statement in the application for a license or the renewal of a license or an application for an electrical

permit or for a certificate of occupancy or in any application provided for in this local law or in any proof or instrument in writing in connection therewith or unlawfully performs electrical work shall be guilty of a misdemeanor and, upon such determination thereof by the Board or any court of competent jurisdiction, shall be punished by a fine not to exceed one thousand dollars (\$ 1,000) or by imprisonment for a period not to exceed six (6) months, or both.

#### SECTION 12. LIABILITY FOR DAMAGE.

This local law shall not be construed to relieve or lessen the responsibility of any person owning, operating, controlling, or installing any electrical wiring, devices, appliances, or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the County of Dutchess be deemed to have assumed any such liability by reason of any license issued pursuant to this local law.

#### SECTION 13. SEVERABILITY.

If any word, phrase, clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the words, phrase, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

#### SECTION 14. EFFECTIVE DATE.

This local law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.